

## WESTFIELD TOWN COUNCIL, April 9, 2007

The Westfield Town Council met in regular session Monday, April 9, 2007 at the Westfield Town Hall. Members present were Jack Hart, Bob Smith, John Dipple, Andy Cook, Bob Horkay, Ron Thomas and Joe Plankis. Also present were Clerk-Treasurer, Cindy Gossard, acting Town Manager Bruce Hauk and Legal Counsel, Brian Zaiger. President Cook called the meeting to order at 7:00 p.m.

President Cook stated the Town and Township Public Safety Building Lease Payment Contract would be continued to the May meeting as would the SR 32 West Business Park project.

### **Approval of Minutes:**

Bob Smith made a motion to approve March 12, 2007, March 20, 2007 Special Meeting as presented. There was an amendment to the March 26, 2007 Special Meeting minutes as Jack Hart was present. Ron Thomas seconded. Vote: Yes-7; No-0. Motion carried.

President Cook also stated the Claims would be moved on the agenda.

### **Guests:**

Mic Mead spoke regarding the Meridian Corridor and his concerns and asked the Town to except his gift of a Westfield Plaque of the Town Seal.

Bob Buccillie President of the Silver Thorne Homeowners Association spoke regarding the widening of 151<sup>st</sup> Street and his concerns.

### **Council Comment on Guest Comments:**

Ron Thomas stated the 151<sup>st</sup> Street project is being addressed and he empathizes with the homeowners.

President Cook stated the Public Works Department is doing a study of the 151<sup>ST</sup> Street area.

Joe Plankis stated he and Andy had spent the day at INDOT to evaluate the US 31 reconstruction.

**Arbor Day Proclamation:**

Curt Cooley stated they were attempting to implement Arbor Day in Westfield and celebrate on April 28<sup>th</sup> and do a tree planting. Curt asked the Council to approve the Proclamation designating April 28, 2007 as Arbor Day.

Ron Thomas read the Proclamation.

Council consensus to sign Proclamation.

**Claims:**

Jack Hart made a motion to approve as presented. John Dippel seconded. Vote: Yes-7; No-0. Motion carried.

**Town Manager Report:**

Budget process will be starting earlier this year

**Old Business:**

**Ordinance 07-05      Subsequent Connector Fees for Water Line  
Shady Nook and 191<sup>st</sup> Street  
Second reading**

President Cook explained this is the second reading and this item is ready for council consideration for adoption.

Ron Thomas made a motion to approve Ordinance 07-05 as presented. Bob Smith seconded. Vote: Yes-7; No-0. Motion carried.

### **Town and Township Public Safety Building Lease Payment Contract:**

Continued to May Town Council meeting.

### **Town and Township Fire Department Budget Contract:**

President Cook explained this contract is for services in 2007 and they have arrived at a dollar amount and there were some concerns on the verbage.

Brian Zaiger explained the proposed contract was changed and signed and returned to the Town. Brian also stated the main concern was the monetary amount and that is now agreeable to the Town and he would ask to authorize the President to sign pending final draft.

Bob Smith made a motion to approve the Town and Township Budget Contract pending final draft to be signed by the Town Council President. Joe Plankis seconded. Vote: Yes-7; No-0. Motion carried.

### **Regulatory Changes/Council Introduction:**

First Council Consideration  
None

### **Second Council Consideration**

State Road 32 West Business Park carried forward to May Town Council Meeting.

### **New Business:**

**Ordinance 07-06      Westside Interceptor Bond Ordinance**  
**First Reading**

President Cook explained this construction will open up the Westside of Town for Residential, Commercial and Industrial development.

Bruce Hauk gave overview and introduced Patti Zellmer from Ice Miller which gave a brief presentation and time lines regarding the Bond process.

**Ordinance 07-07      Eagletown PUD Amendment  
First Reading**

Bo Wilfong and John Dobosiewicz gave a brief presentation of the parcels being added to the overall plan. John stated this amendment will add 142 acres to the original PUD.

Council consensus to appear before the Plan Commission on May 29, 2007 for a Public Hearing. Ron Thomas abstained.

**Ordinance 07-08      Zoning Ordinance Amendment – Throughfare Plan  
First Reading  
APC Public Hearing 3-26-07**

Tom Higgins explained this Amendment was to clean up some verbiage in the actual Ordinance that is no longer appropriate to where we are in terms of the Zoning Ordinance.

Jack Hart made a motion to approve Ordinance 07-08 as presented. Joe Plankis seconded. Vote: Yes-7; No-0. Motion carried.

**Resolution 07-05      Thoroughfare Plan Amendment  
APC Public Hearing 11-27-06  
APC Committee 12-13-06  
APC Action on 1-22-07  
TC action on 2-12-07**

Tom Higgins gave a brief presentation of the amendments and explained in this document is the verbiage that supports what has already been adopted by all the appropriate agencies and recognized by the MPO at the State level.

John Dipple made a motion to approve Resolution 07-05 as presented. Bob Smith seconded. Vote: Yes-7; No-0. Motion carried.

**Resolution 07-07      Additional Appropriations General Fund  
Public Hearing**

President Cook explained Resolution 07-07 authorizes the transfer of \$547,700.00 from our Water Utility Surplus to the Cash Reserve Fund and then will allow to be transferred to our General Fund. Andy stated this will then allow paying an obligation for a land purchase.

Public Hearing opened at 8:29 pm

None.

Public Hearing Closed at 8:30 pm.

Bob Smith made a motion to approve Resolution 07-07 as presented. John Dippel seconded. Vote: Yes-7; No-0. Motion carried.

**Developer/Petitioner Process Discussion**

Tom Higgins gave a brief presentation stating defining this process is going to be the most important in terms of communication with the developers. Tom explained an example of having a pre-filing conference on the front end of the process.

**2006 Utility Charge Offs**

Bruce Hauk presented this item asking to charge off \$4,627.10 for uncollectible bills from our utility Department. Bruce stated they would revisit the Americare charges to try and collect.

Bob Smith made a motion to approve the charge off amount of \$4,627.10 in uncollectible charges. Joe Plankis seconded. Vote: Yes-7; No-0. Motion carried.

**Consent Agenda:**

**Release of Performance Bonds –**

Valley View @ Viking Meadows Bond No.5119964-Stone Base,  
Asphalt Base, Asphalt Binder & Curbs in the amount of \$18,301.80

Valley View @ Viking Meadows Bond No. 5019966- Water, Sanitary Sewer and Storm in the amount of \$802,950.50

Viking Meadows Lift Station & Gravity Sewer Interceptor Bond No. 5019994- Lift Station and Gravity Interceptor Sewer in the amount of \$1,856,857.79

Kurt Wanninger stated the Bonds were satisfied.

Jack Hart made a motion to approve the Consent Agenda items as presented. Bob Smith seconded. Vote: Yes-7; No-0. Motion carried.

### **Release of Maintenance Bonds**

None

### **Reimbursement Agreement**

None

### **Change Orders**

Bowen Engineering Change Order #2 for the Greyhound Pass Water Treatment Project for an increase in the amount of \$78,537.00.

Bruce Hauk explained this Change Order is in respect to the Energy Savings Project.

Jack Hart made a motion to approve Change Order #2 as presented not to exceed the amount of \$78,537.00. Joe Plankis seconded. Vote: Yes-7; No-0. Motion carried.

### **Council Members Comments:**

Bob Smith explained the need to include the Medics in the Match Program that the Town provides.

Bruce Hauk stated he would work with Bob in drafting a letter to implement this.

John Dippel stated it has been discussed the need to relocating the Community Development Department along with the Building Inspectors to the WPWD campus.

Bob Smith made a motion to adjourn. Joe Plankis seconded. Vote: Yes-7; No-0.  
Motion carried.

With no further business the meeting adjourned at 9:00 p.m.

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Clerk-Treasurer

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Council President